

**MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL SPECIAL MEETING HELD ON
WEDNESDAY, MARCH 9, 2016 AT 5:00 P.M. IN THE CITY COUNCIL CHAMBERS**

MAYOR: Alfonso E. Ortiz, Jr.

COUNCILORS: David L. Romero - Absent
Barbara A. Casey
Tonita Gurule-Giroñ
Vincent Howell

ALSO PRESENT: Elmer J. Martinez – City Manager
Casandra Fresquez – City Clerk
David L. Romero – City Attorney
Juan Montano – Sergeant at Arms

CALL TO ORDER

Mayor Ortiz, Jr. called the meeting to order at 5:00 p.m.

ROLL CALL

Mayor Ortiz, Jr. advised that Councilor Romero was not present due to being in recovery from surgery.

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Mayor Ortiz, Jr. asked for a moment of silence to thank God for all our blessings, and welcomed and congratulated Councilor Barbara Casey. Mayor Ortiz, Jr. wished the new administration the best.

APPROVAL OF AGENDA

City Manager Martinez welcomed Barbara Perea Casey and advised that there were no changes or recommendations regarding the agenda.

Councilor Howell made a motion to approve the agenda as is. Councilor Gurule-Giroń seconded the motion.

Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

| | | | |
|---------------------|-----|------------------|--------|
| Vincent Howell | Yes | Barbara A. Casey | Yes |
| Tonita Gurule-Giroń | Yes | David L. Romero | Absent |

City Clerk Fresquez re-read the minutes and advised the motion carried.

PUBLIC INPUT

City Manager Martinez advised that there was no one signed up for Public Input.

BUSINESS ITEM

1. Approval/Disapproval to adopt Resolution 16-13 Run-Off Election for the City of Las Vegas.

City Clerk Casandra Fresquez advised that in accordance with the City of Las Vegas Municipal Charter, a candidate must receive fifty percent (50%) plus one (1) of the votes cast for the particular office or a run-off election shall be held between the two candidates receiving the highest number of votes which shall be held within forty five (45) days after certification of the results of the election. This resolution will allow the City Clerk's Office to proceed with preparation for the Run- Off Election.

City Clerk Fresquez advised that at that time of canvassing, additional votes were added for Councilor Gurule-Giroń , totaling (915) votes and Councilor Herrera, totaling (714) votes and added that 50% was not reached by either candidate therefore a Run-Off Election would be required.

City Clerk Fresquez gave a brief overview of Resolution 16-13.

City Clerk Fresquez advised that Resolution 16-13 was provided in English and Spanish and informed that under the resolution, Council would be approving the Election for the Mayor which would be held on Tuesday, April 12, 2016 and added that the polls would open at 7:00 a.m. and close at 7:00 p.m.

City Clerk Fresquez stated that at the Run-Off Election, one person would be elected for Mayor serving a four year term and added that the two locations designated for polling were the Gillie Lopez Gymnasium located at West Las Vegas High School and the Michael Marr Gymnasium located at Robertson High School.

City Clerk Fresquez advised that Absentee Ballot Applications may only be obtained from the Office of Municipal Clerk and all applications for Absentee Ballots must be completed and accepted by the Municipal Clerk prior to 5 p.m. on April 8, 2016. City Clerk Fresquez explained that after 5 p.m. on April 8, 2016, all unused Absentee Ballots will be publicly destroyed by the Municipal Clerk, the Municipal Clerk will accept completed Absentee ballots delivered by mail or in person by the voter casting the absentee ballot, by a member of the voter's immediate family or the caregiver of the voter until 7 p.m. on April 12, 2016.

City Clerk Fresquez informed that Absentee Ballots may be marked in person in the Office of the Municipal Clerk during regular hours on days of business beginning on Monday, March 28, 2016. City Clerk Fresquez added that Early Voting on paper ballots counted by electronic vote tabulator will be conducted in the Office of the Municipal Clerk during regular hours on days of business beginning on Monday, March 28, 2016.

City Clerk Fresquez advised that persons desiring to vote at the Run-Off Election must register with the San Miguel County Clerk not later than Friday, March 25, 2016 at 5:00 p.m.; the date on which the County Clerk will close registration books, and added that casting of votes by qualified electors shall be recorded on electronic tabulators.

Mayor Ortiz, Jr. stated that he felt that some of the wording on the Resolution was misleading and suggested re-wording the language regarding the phrase "persons wanting to vote for the run-off election, needing to register".

City Manager Martinez made the recommendation to add the wording to the resolution to read “persons, who are not registered to vote and desire to vote at the Run-Off election, must register with San Miguel County by March 25, 2016”.

City Clerk Fresquez advised that the changes regarding the language on the Resolution would be made based on the Governing Body’s recommendations.

Councilor Howell had questions regarding the end date of early voting and if it should be included in the resolution.

City Clerk Fresquez advised that early voting ended the Friday prior to the election and informed that the ending date was not required on the resolution. City Clerk Fresquez advised that after the Resolution would be approved, she would post that information on the Election calendar, the City’s website, send Public Service Announcements over the radio and post the information in the Las Vegas Optic.

Councilor Gurule-Giroń asked if there would be a weekend to vote for the Run-Off Election.

City Clerk Fresquez advised that there is only a weekend to vote for Regular Election and not for the Run-Off due to the short period of time.

Councilor Gurule-Giroń asked if this Resolution was consistent with the previous Run-Off elections.

City Clerk Fresquez advised that it was consistent with previous Run-Off elections, in accordance to the City Charter.

Councilor Howell made a motion to approve to adopt Resolution 16-13 Run-Off Election for the City of Las Vegas. Councilor Casey seconded the motion.

Resolution 16-13 was presented as follows:

RESOLUTION NO 16-13

RUNOFF ELECTION FOR THE CITY OF LAS VEGAS, NEW MEXICO

WHEREAS, the regular Municipal Election for municipal officers was held March 1, 2016; and

WHEREAS, Article VIII, Section (F)(G) of the City of Las Vegas Charter provides: **(F)** The election of all municipal elective offices shall be by a simple majority, defined as fifty percent (50%) plus one (1), of the votes cast for the particular offices in question. **(G)** In the event that no candidate receives a majority of the votes cast for that office, a subsequent run-off election shall be held between the two candidates receiving the highest number of votes. The subsequent run-off election shall be held within 45(forty-five) days after certification of the results of the election; and

WHEREAS, at the Regular Municipal Election held March 1, 2016, the results for the office of Mayor were as follows:

| | | |
|---------------------|-----------|--------|
| Tonita Gurule-Giroń | 915 votes | 36.43% |
| Joseph Joey Herrera | 714 votes | 28.42% |

with none of the aforementioned candidates receiving fifty percent (50%) plus one (1) of the votes cast for Mayor; and

WHEREAS, to fill the elected office of Mayor, a Runoff Election shall be held in accordance with Article VIII, Section G of the City of Las Vegas Charter.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LAS VEGAS, NEW MEXICO that:

- A. A Runoff Election for the election of Mayor, shall be held on
Tuesday, April 12, 2016. Polls will open at 7:00 A.M and close at 7:00 P.M.
- B. At the Runoff Election, one person shall be elected to fill the office of Mayor, for a four-year term.
- C. The following location will be designated as polling places for the conduct of the runoff election:
 - 1. West Las Vegas "Gillie Lopez" Gymnasium, 157 Moreno Street
 - 2. Robertson High School Michael Marr Gymnasium, 1284 4th Street
- D. Absentee Voting. Applications for absentee ballots may be obtained only from the office of the Municipal Clerk. All applications for an absentee ballot must be completed and accepted by the Municipal Clerk prior to 5:00 p.m., April 8, 2016. After 5:00 p.m. on April 8, 2016, all unused absentee ballots will be publicly destroyed by the Municipal Clerk. The Municipal Clerk will accept completed absentee ballots delivered by mail, or

in person by the voter casting the absentee ballot, by a member of the voters' immediate family, or the caregiver of the voter, until 7:00 p.m. on April 12, 2016.

Absentee ballots may be marked in person in the office of the Municipal Clerk during regular hours and days of business, beginning on Monday March 28, 2016.

Early Voting. Early Voting on paper ballots counted by electronic vote tabulator will be conducted in the office of the Municipal Clerk during regular hours and days of business, beginning on Monday, March 28, 2016.

E. Persons who are not registered to vote and desire to vote at the runoff election must register with the San Miguel County Clerk not later than Friday March 25, 2016 at 5:00 p.m., the date on which the County Clerk will close registration books.

F. The casting of votes by qualified electors shall be recorded on electronic tabulators.

ADOPTED AND APPROVED THIS _____ day of _____, 2016.

Mayor Alfonso E. Ortiz, Jr.

ATTEST _____

Casandra Fresquez, City Clerk

RESOLUCIÓN NO 16-13

VUELTA A LA CIUDAD DE LAS VEGAS, NUEVO MÉXICO

Considerando que, las elecciones municipales de regular para los funcionarios municipales se celebró 01 de Marzo de 2016; y

Considerando que, Artículo VIII, sección de (F)(G) de la ciudad de Las Vegas Carta ofrece: **(F)** la elección de todos los cargos electivos municipales deberá ser por mayoría simple, definida como el cincuenta por ciento (50%) más uno (1), de los votos emitidos para las oficinas particulares en cuestión. **(G)** en caso de que ningún candidato recibe una mayoría de los votos emitidos para la Oficina, una elección de desempate posterior se celebrará entre los dos candidatos que reciban el mayor número de votos. La elección de desempate posterior se celebrarán dentro de 45(forty-five) días después de la certificación de los resultados de la elección; y

Considerando que, en la elección Municipal ordinario celebrado el 01 de Marzo de 2016, los resultados para Alcalde fueron los siguientes:

Tonita Gurule-Giroń 915 votos 36.43 %
Joseph Joey Herrera 714 votos 28.42 %

con ninguno de los candidatos mencionados recibir cincuenta por ciento (50%) más uno (1) de los votos para Alcalde; y

Considerando que, para llenar el cargo elegido Alcalde, se celebrará una elección de desempate de conformidad con el artículo VIII, sección g de la ciudad de Las Vegas Carta.

Por eso ahora, ser, resuelto por la administración cuerpo de THE ciudad de LAS VEGAS, Nuevo México que:

A. un vuelta para la elección de Alcalde, se reunirá en Martes, 12 de abril de 2016. Las encuestas serán abiertas a las 7:00 y cerrar a las 19:00

B. en las elecciones de segunda vuelta, se elegirá una persona para ocupar la Oficina del Alcalde, para un mandato de cuatro años.

C. las siguientes ubicaciones están designadas como lugares para la realización de las elecciones de segunda vuelta de votación:

1. Escuela Secundaria de Las Vegas Oeste gimnasio de Gillie Lopez, calle 157 Moreno.

2. Escuela Secundaria de Robertson gimnasio de Michael Marr, calle 1238 4th.

D. Votación en Ausencia Solicitudes para obtener balotas para votar en ausencia pueden ser obtenidas única menta de la oficina de la Escribana de la Municipalidad. La Escribana de la Municipalidad debe llevar y aceptar todas las solicitudes para obtener una balota para votar en ausencia antes de las 5:00 p.m. el 8 de abril de 2016. A partir de las 5:00 p.m. el 8 de abril de 2016, la Escribana de la Municipal públicamente destruirá todas las balotas no utilizadas. La Escribana de la Municipalidad aceptará las balotas completadas por el votante que emite su balota, con el fin de votar en ausencia, que se le entregue por correo o en persona o por un miembro de la familia inmediata del votante, o del conserje al votante hasta las 7:00 p.m. el 12 de abril de 2016.

Boletas de ausente puede marcarse en persona en la Oficina del Secretario Municipal durante el horario y días de negocios, comenzando en lunes, 28 de Marzo de 2016.

Votación anticipada. Votación anticipada sobre el papel las boletas contadas por pendiendo de votación electrónica se realizará en la Oficina del Secretario Municipal durante el horario y días de negocios, comenzando en lunes, 28 de Marzo de 2016.

E. Las personas que no están inscritos para votar y el deseo de votar en la elección de escorrentía el deben registrarse con el Secretario del condado San Miguel viernes, 25 de marzo de 2016 a 5:00, la fecha en que el Secretario del condado cerrará los libros de registro a más tardar.

F. Se archivará un record de los votos de los electors municipals calificados en papeletas, de las cuales se hará un recuento por tabulators electrónicos.

APROBADAS y esta _____ día de _____, 2016

Alfonso E. Ortiz Jr., Alcalde
ATESTIGUAN

Casandra Fresquez, empleado de la ciudad

Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

| | | | |
|---------------------|-----|-----------------|--------|
| Tonita Gurule-Giroń | Yes | Vincent Howell | Yes |
| Barbara A. Casey | Yes | David L. Romero | Absent |

City Clerk Fresquez re-read the motion and advised the motion carried.

EXECUTIVE SESSION

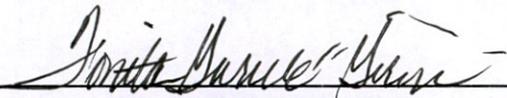
City Manager Martinez advised that there was no need to go into Executive Session.

ADJOURN

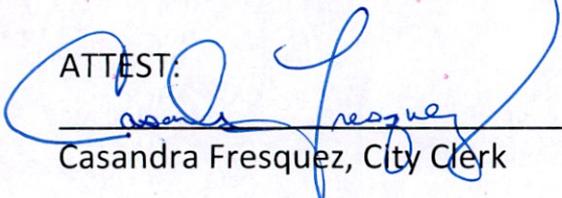
Councilor Howell made a motion to adjourn. Councilor Casey seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

| | | | |
|------------------|-----|---------------------|--------|
| Barbara A. Casey | Yes | Tonita Gurule-Giroń | Yes |
| Vincent Howell | Yes | David L. Romero | Absent |

City Clerk Fresquez re-read the motion and advised the motion carried.



Mayor Tonita Gurule-Giroń

ATTEST:


Casandra Fresquez, City Clerk